

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350

**NOTICE OF MOTION TO ADMIT
WILLIAM F. LEE, ESQ. AND MARK D.
SELWYN, ESQ. *PRO HAC VICE***

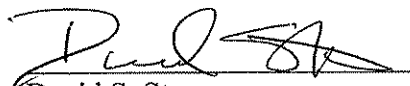
TO: William J. O'Shaughnessy
McCarter & English, LLP
Four Gateway Center
100 Mulberry St.
Newark, NJ 07102

Peter T. Barbur
Elizabeth Grayer
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, New York 10019

PLEASE TAKE NOTICE, that on December 17, 2007 at 9:30 a.m., or as soon as counsel may be heard, the undersigned attorneys for Plaintiff Broadcom Corporation will move before the Hon. John J. Hughes, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order pursuant to L.Civ.R.101.1(c) granting William F. Lee, Esq. of the firm Wilmer Hale, 60 State Street, Boston, Massachusetts, 02109 and Mark D.

Selwyn, Esq. of the firm Wilmer Hale, 1117 California Avenue, Palo Alto, California, 94304, admission to this Court *pro hac vice*. The basis for this motion is set forth by counsel for Plaintiff, David S. Stone, in the attached Affidavit of William F. Lee in Support of Plaintiff's *Pro Hac Vice* Motion and Affidavit in Support of Plaintiff's Motion for an Order to admit Mark D. Selwyn *pro hac vice*.

An Order is attached.



David S. Stone

Dated: November 27, 2007

CERTIFICATE OF SERVICE

I, David S. Stone, Esq. hereby certify that the foregoing Notice of Motion to Admit William F. Lee, Esq. and Mark D. Selwyn, Esq. *Pro Hac Vice*, Affidavit of David S. Stone, Affidavit of William F. Lee, Affidavit of Mark D. Selwyn, and Proposed Order, which was filed and served electronically on November 27, 2007 on counsel for all named parties through the Court's *ECF system*, including:

William J. O'Shaughnessy, Esq.
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056

Peter T. Barbur, Esq.
Elizabeth Grayer, Esq.
CRAVATH, SWAINE & MOORE LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

Steven J. Kaiser, Esq.
CLEARY, GOTTLEIB, STEIN & HAMILTON
200 Pennsylvania Avenue, NW
Washington, DC 20006


David S. Stone, Esq.

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FOR THE DISTRICT OF NEW JERSEY**

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150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350

**AFFIDAVIT OF DAVID S. STONE IN
SUPPORT OF PLAINTIFF'S MOTION
TO ADMIT WILLIAM F. LEE, ESQ.
MARK D. SELWYN, ESQ. *PRO HAC
VICE***

STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

DAVID S. STONE, having been duly sworn according to his oath, deposes and says:

1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller and Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R.101.1(c), to admit William F. Lee, Esq. and Mark D. Selwyn, Esq. *pro hac vice* in the above matter.

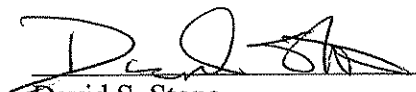
2. Mr. Lee and Mr. Selwyn are members of the firm Wilmer Hale, and have been asked by plaintiff Broadcom to be involved in this case because of their extensive experience

with the antitrust issues at issue in this case, and their prior experiences with Broadcom in other matters.


3. As more fully set forth in their Affidavits, Mr. Lee and Mr. Selwyn are members in good standing of a number of different courts.

4. Upon admission of Mr. Lee and Mr. Selwyn *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Lee and Mr. Selwyn to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).

5. Our adversary, Qualcomm Corporation, through its counsel, Cravath, Swaine and Moore LLP, has consented to the *pro hac vice* admission of Mr. Lee and Mr. Selwyn.


David S. Stone

Sworn to before me and
subscribed in my presence
this 27th day of November, 2007


Notary Public

EILEEN BARON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 3, 2011

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>QUALCOMM INCORPORATED,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF WILLIAM F. LEE IN SUPPORT OF PLAINTIFF'S <i>PRO HAC</i> <i>VICE</i> MOTION</p>
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STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

WILLIAM F. LEE, having been duly sworn according to his oath, deposes and says:

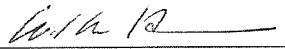
1. I am a member in good standing of the Bar of the Commonwealth of Massachusetts, to which I was admitted in 1977. I am also a member in good standing of the Bar of the United States Supreme Court. I make this Affidavit in support of this Motion to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.

3. I represent Broadcom Corporation in the above-captioned action. I am associated in this matter with David S. Stone of the firm, Boies, Schiller & Flexner LLP, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.


5. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.



William F. Lee

Sworn to before me and
subscribed in my presence
this 4th day of November, 2007.



Notary Public

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION, Plaintiff, v. QUALCOMM INCORPORATED, Defendant.	Civil Action No. 05-3350 AFFIDAVIT OF MARK D. SELWYN IN SUPPORT OF PLAINTIFF'S <i>PRO HAC VICE</i> MOTION
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STATE OF CALIFORNIA)
) SS:
COUNTY OF SANTA CLARA)

MARK D. SELWYN, having been duly sworn according to his oath, deposes and
says:

1. I am a member in good standing of the Bar of the Commonwealth of
Massachusetts (admitted in September 1994), the State of New York (admitted in January
1994), and the State of California (admitted in October 2006). I am also a member in
good standing of various federal courts. I make this Affidavit in support of this Motion
to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.

3. I represent Broadcom Corporation in the above-captioned action. I am associated in this matter with David S. Stone of the firm, Boies, Schiller & Flexner LLP, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.

5. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.



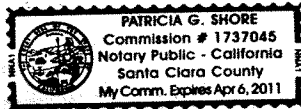
Mark D. Selwyn

Sworn to before me and
subscribed in my presence
this ____ day of November, 2007.

See attached
Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa ClaraOn November 21, 07 before me, Patricia G. Shore, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")personally appeared Mark D. Selwyn
Name(s) of Signer(s)☒ personally known to me☐ (or proved to me on the basis of satisfactory evidence)

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public
OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Affidavit of Mark D. Selwyn in Support of Plaintiff's Pro
11-21-2007 Number of Pages: 2 He Vice
6 MOTION

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350

**ORDER ADMITTING WILLIAM F. LEE,
ESQ. AND MARK D. SELWYN, ESQ.
PRO HAC VICE PURUSANT TO
L.Civ.R.101.1(c)**

THIS MATTER, having been brought before the Court by Boies, Schiller & Flexner LLP, counsel for plaintiff Broadcom Corporation in the above matter, for an Order pursuant to L.Civ.R.101(c) permitting William F. Lee, Esq. of Wilmer Hale located at 60 State Street, Boston, Massachusetts, 02109 and Mark D. Selwyn, Esq., of Wilmer Hale located at 1117 California Avenue, Palo Alto, California, 94304, to appear and practice *pro hac vice*; and the Court having considered the Affidavit of David S. Stone, the Affidavit of William F. Lee and the Affidavit of Mark D. Selwyn; and for good cause shown:

IT IS on this _____ day of December, 2007;

ORDERED that the motion by Boies, Schiller & Flexner LLP to permit William F. Lee, Esq. and Mark D. Selwyn, Esq. to appear and participate *pro hac vice* is GRANTED; and

FURTHER ORDERED that all pleadings, briefs and other papers filed with the court shall be signed by David S. Stone, or a member or associate of the firm Boies, Schiller & Flexner LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, who is a member in good standing of the bar of this Court, who shall be responsible for said papers and for the conduct of this case and who shall be present before the Court, as well as be held responsible for the conduct of the attorney admitted *pro hac vice* pursuant to the terms of this Order; and

FURTHER ORDERED that William F. Lee, Esq. and Mark D. Selwyn, Esq. shall pay the annual fee to the New Jersey Lawyer' Fund for Client Protection, in accordance with R. 1:28-2 within 20 days from the dated entry of this Order; and

FURTHER ORDERED that William F. Lee, Esq. and Mark D. Selwyn, Esq. shall be bound by the Local Civil Rules of the United States District Court for the District of New Jersey, including the provisions of L.Civ.R.103.1 (Judicial Ethics and Professional Responsibility) and L.Civ.R.104.1 (Discipline of Attorneys).

Hon. John J. Hughes, U.S.M.J.